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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,944	08/09/2001	Fraser R. Ingram	10782.00	5806

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EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
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3691

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/925,944		INGRAM ET AL.	
	Examiner		Art Unit	
	Thu Thao Havan		3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12,32 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12,32 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/7/02</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Election/Restrictions

Applicant's election without traverse of claims 1-12, 32, and 35 in the reply filed on October 3, 2006 is acknowledged.

Claims 13-31, 33-34, and 36-37 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on October 3, 2006.

Drawings

The Examiner accepts the drawings filed on January 27, 2001.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-12, 32, and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Antonin et al (US 2002/0138446) in view of Shooks et al. (US 2002/0019781).

Re claims **1, 32, and 35**, Antonin teaches a method/system/a machine-readable medium that includes instructions of facilitating an electronic commerce transaction between

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an automatic teller machine (ATM) user and an electronic commerce merchant (para. 0008, 0121, and 0133; abstract; figs. 7-8; Antonin discloses customer service systems, electronic transactions, communications, access to data libraries and accounting systems, and many other functions have been implemented using Internet protocols) said method comprising the steps of:

a) receiving, at one or more servers remote from the ATM and remote from one or more electronic commerce merchant servers, ATM data comprising transaction data (para. 0006, 0010, 0013, 0032, 0034, 0036, and 0039; Antonin discloses transaction system may provide transaction processing and may access one or more remote transaction systems for fulfilling the transaction request in relation to ATM);

b) reformatting, at the one or more remote servers, said transaction data into a first format that enables the transaction data to be utilized by a server located on a communications network (para. 0006, 0040, 0046, 0053, 0094, 0114, and 0128);

c) transmitting, the reformatted transaction data to the one or more electronic commerce merchant servers from the one or more remote servers (para. 0040, 0050, 0055, 0064, 0114, and 0128; Antonin discloses the interface application may support one or more encryption standards for data transfer from the remote servers);

d) receiving, at the one or more remote servers from the electronic commerce merchant, merchant data wherein said merchant data is generated by the one or more electronic commerce merchant servers in response to the reformatted transaction data (para. 0047, 0053, 0057-0063, 0065, and 0123);

e) reformatting, at the one or more remote servers, said merchant data into a second format that enables the merchant data to be utilized by the ATM, wherein said utilization by said ATM is effectuated without use of a browser (para. 0053, 0094, 0114, and 0128); and

f) transmitting the reformatted merchant data to the ATM from the one or more remote servers (para 0064, 0114, 0123, and 0128.; Antonin discloses the step of transferring as corresponding to transmitting merchant data).

However, Antonin does not explicitly teach a global communications network. On the other hand, Shooks discloses a global communications network when he discloses a global computer network (para. 0002 and 0030). Shooks discloses cardholder system preferably is in communication with the Internet. He discloses the term Internet refers to the global network. Thus, it would have been obvious to one of ordinary skill in the art to enable a global communications network in an ATM system wherein customers are able to communicate with the Internet to transfer transaction internationally as discloses in Shooks.

Re claim 2, Antonin teaches ATM data further comprises account data associated with an account of said user, the transaction is associated with a transaction price, and the method further comprises the step of: g) verifying with a processing network that the account of the user authorizes the transaction; wherein, upon verifying that the account of the user authorizes the transaction, the transaction is settled by applying the transaction price to the account of the user (para. 0050-0064, and 0112). Antonin discloses transaction verification module allows the core application to verify that accounts.

Re claim 3, Antonin teaches step g) is performed by the electronic commerce merchant, the processing network is a credit card company, and the transaction is settled

between the credit card company and the electronic commerce merchant (para. , 0058, 0060, 0064, 0086, and 0104).

Re claim 4, Antonin teaches step g) is performed by a facilitator of the transaction, the processing network is an entity that performs credit verification services, and the transaction is settled between the facilitator and the credit verification entity (para. 0013, 0036, 0040, 0050-0064, and 0112). Antonin provides backend processing for a variety of customer oriented services by credit verification services.

Re claim 5, Antonin teaches transaction is personal identification number (PIN)-based and associated with a transaction price, the ATM data further comprises PIN data corresponding to an account of said user, and the method further comprises the steps of: g) verifying the PIN data with a processing network; and h) verifying with the processing network that the account of the user authorizes the transaction; wherein, upon verifying the PIN data and that the account of the user authorizes the transaction, the transaction is settled by applying the transaction price to the account of the user (para. 0040, 0047-0049, 0058, 0060, 0064, 0086, and 0104).

Re claim 6, Antonin teaches steps g) and h) are performed by a facilitator of the transaction, the processing network is a financial institution, and the transaction is settled between the facilitator and the financial institution (para. 0003-0008, 0032, and 0035-0037; fig. 1). Antonin discloses access to a host financial system, such as that of the sponsoring bank or other financial institution.

Re claim 7, Antonin teaches first format comprises at least one of extensible markup language (XML) or wireless markup language (WML) (para. 0007, 0034, 0045, 0053, and

0055). Antonin discloses refinements in HTML, as well as extensible Markup Language (XML),

Re claim **8**, Antonin teaches transaction data comprises an inquiry from the ATM user regarding one or more electronic commerce offers (para. 0003-0008 and 0039).

Re claim **9**, Antonin teaches transaction data comprises an order relating to one or more electronic commerce transactions (para. 0048, 0054, 0082, and 0134).

Re claim **10**, Antonin teaches merchant data comprises order confirmation data (para. 0134). Antonin discloses a number of order confirmation components.

Re claim **11**, Antonin teaches merchant data further comprises receipt information (para. 0003, 0050, 0065, and 0134). Antonin discloses a receipt printer.

Re claim **12**, Antonin teaches transaction data comprises location information and said merchant data comprises service information corresponding to the location (para. 0008 and 0041).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gorgens, US 4,234,932

Sendrow, US 4,317,957

Grant et al., US 4,660,168

Drummond et al., US 6,973,442

Neely et al., US 2002/0077977

Drummond et al., US 2001/0014881

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).



Thu Thao Havan
Art Unit: 3691
12/08/2006